

AFTER ACTION AGENDA

REGULAR CITY COMMISSION MEETING MONDAY, JULY 21, 2014 6:30 P.M.

**DELTONA COMMISSION CHAMBERS
2345 PROVIDENCE BLVD.
DELTONA, FLORIDA**

AGENDA

1. CALL TO ORDER
2. ROLL CALL - CITY CLERK
3. INVOCATION AND PLEDGE TO THE FLAG:
 - A. Invocation Presented by Commissioner Schleicher – Manny Almo, a Senior at Stetson University and a member of the Pizza Family Ministry.
4. APPROVAL OF MINUTES & AGENDA:
 - A. Approval of Minutes – Special & Regular City Commission Meeting of July 7, 2014 and Special City Commission Meeting of July 14, 2014.

The Commission voted unanimously to approve the minutes of the Special & Regular City Commission Meeting of July 7, 2014 and Special City Commission Meeting of July 14, 2014.
 - B. Additions or Deletions to Agenda.

City Attorney Becky Vose submitted a recommended change to Section 36-14 of Ordinance No. 11-2014.

Commissioner Nabicht asked to add-on Resolution No. 2014-23, adopting a temporary moratorium on the enforcement of city code provisions as to food sales on residentially zoned church property (ADD-ON Item 10-D).

PRESENTATIONS/AWARDS/REPORTS:

- A. Presentation – Quarterly Reports of City Advisory Boards/Committees.

**6. PUBLIC FORUM – Citizen comments for any items.
(4 minute maximum length)**

CONSENT All items marked with an * will be considered by one motion unless removed
AGENDA: from the Consent Agenda by a member of the City Commission. If an item is removed for clarification only, it will be discussed immediately following action on the Consent Agenda. If an item is removed for further discussion, it will be discussed under New Business immediately following the last listed item.

7. CONSENT AGENDA:

8. ORDINANCES AND PUBLIC HEARINGS:

A. Public Hearing - Ordinance No. 15-2014, An amendment to allow Changeable Copy Signs for Houses of Worship, at first reading.

Chapter 102 of the City's Code of Ordinances is the City's 'sign code'. In many cities, a sign code is a dynamic document seeking to use the most current signage technology, establish a balance between the ability to advertise and promote businesses, events, public facilities, etc. and the overall aesthetics of a community. The purpose and intent listed in Section 102-1 of the sign code outlines the purpose of signage regulations, lists the aesthetic intent, and ensures compatibility between land uses.

The City received a request to consider electronic changeable copy signs for houses of worship that allows them to have the most current signage technology. Houses of worship have the ability to be placed in a variety of zoning classifications. As such, commercial-oriented signage can be located within residential neighborhoods, which is not typically afforded to other types of land uses. To allow for electronic changeable copy signs, staff created the proposed amendments to Chapter 102-78, Houses of worship, and Chapter 102-102, Changeable copy signs, included within the attached Ordinance No. 15-2014. In summary, the proposed amendments include the following:

1. Further clarify the existing regulations through minor revisions to the sign code;

2. Adds electronic changeable copy sign language to Section 102-78 to allow houses of worship to have that type of signage and to place evening hour illumination limitations on them to respect the residential character of area neighborhoods; and

3. For electronic changeable copy signs, limits the number, orientation, land use types, and location of sign placement; particularly along arterial roadway rights-of-way.

The proposed amendment is consistent with the City's Comprehensive Plan. Finally, the Planning and Zoning Board heard this item on June 18, 2014, and recommended that the City Commission approve Ordinance No. 15-2014.

After discussion, the Commission voted unanimously to approve Ordinance No. 15-2014, an amendment to allow changeable copy signs for houses of worship, at first reading.

B. Public Hearing - Ordinance No. 11-2014, regarding the City's Rental Regulatory License, at second and final reading.

This ordinance is proposed as a replacement for the business tax receipt ordinance for rental houses. The regulatory fees that will be imposed under this ordinance are based upon the actual cost to the city of the regulation provided under the terms of the ordinance. It also requires that renters provide to Deltona Water a copy of the rental regulatory license and a notarized statement of authorization from the record owner of the property prior to turning on water/sewer services. This will assist the city in keeping track of rental properties and help prevent squatters from taking over abandoned properties.

A Workshop was held on Monday, June 23, 2014 to discuss this ordinance.

After discussion, the Commission voted unanimously to adopt Ordinance No. 11-2014 with the recommended changes, at second and final reading.

C. Public Hearing - Ordinance No. 12-2014, regarding anti-blight, at first reading and to schedule second and final reading for July 21, 2014.

This proposed ordinance would require mortgagees to register properties in default/foreclosure with the city. It would require mortgagees (only ones that have the contractual right to enter unto the mortgaged property to secure and repair the property upon default by the property owner - which includes most institutional mortgagees), to actually maintain the property during a mortgage foreclosure if the property is either abandoned or is in disrepair. As part of the registration process, a mortgagee is required to designate a property maintenance company to monitor the property being foreclosed, and maintain and repair the property if it is abandoned or falls into disrepair. If the mortgagee does not comply with the ordinance, the Special Master can assess a fine against the mortgagee not to exceed \$250. Every day of non-compliance is a separate offense. A certified copy of an order imposing fines can be recorded and constitutes a lien upon any real or personal property owned by the mortgagee in violation.

A Workshop was held on Monday, June 23, 2014 to discuss this ordinance.

At the meeting on July 7, 2014, two changes were made: i) increase the number of days a tarp can be on a roof or boards on a window or door from 30 to 60 before a building is deemed to be blighted; and ii) added the requirement that the City Attorney review proper documentation before determining that water can be turned on for an owner who is not listed on the property appraiser's website as the owner.

After discussion, the Commission voted unanimously to adopt Ordinance No. 12-2014, at second and final reading.

D. Public Hearing - Ordinance No. 18-2014, regarding unfit and unsafe structures, at second and final reading.

This ordinance sets forth all the procedures for the city to demolish unfit and unsafe structures within the city and assess the costs as a lien on the property that can also be collected through non-ad valorem tax procedures.

A Workshop was held on Monday, June 23, 2014 to discuss this ordinance.

At the meeting on July 7, 2014, a change was made to increase the time to put grass on a lot after demolition to 30 days. In addition, the City Attorney made a change as requested by Nick Sassic to address the issue of abatement of lead paint in the event of a demolition. That change was added as section 18-103(f).

After discussion, the Commission voted unanimously to adopt Ordinance No. 18-2014, at second and final reading.

9. OLD BUSINESS:

A. Request for approval of 2014-2015 Law Enforcement Services Agreement.

This Amendment is to authorize the County of Volusia to continue to provide law enforcement services and equipment to the City of Deltona for fiscal year 2014-2015, for the sum of \$9,855,726.00. The amended price allows for an increase of \$260,768.00 or 2.72% from the current 2013-2014 fiscal year's cost of \$9,594,958.00.

The Agreement continues to provide the City of Deltona with 76 sworn personnel inclusive of supervisors as full staffing, and three (3) unsworn office workers.

After discussion, the Commission voted unanimously to authorize the Mayor and City Manager to execute the Law Enforcement Services Agreement for fiscal year 2014-2015 in the amount of \$9,855,726.00.

10. NEW BUSINESS:

A. Consideration of appointment of one (1) member to the City's Planning and Zoning Board (Vice Mayor Herzberg's appointment).

As of May 22, 2014 David McKnight has resigned from his position on the City's Planning and Zoning Board leaving a vacancy on the Board.

The City has run press releases and posted the openings on D-TV, the City's WebPage and bulletin boards. To date, the City has received an application from Ruben Colon, John Harper, Maribel Montanez, Stony Sixma, Wallace Thurston and Frank Whittock.

After discussion, the Commission voted unanimously to confirm the appointment of Stony Sixma to the Planning and Zoning Advisory Board for the remainder of a term to expire on March 15, 2017.

B. Consideration of appointment of two (2) members to the Parks and Recreation Advisory Committee (Mayor Masiarczyk's and Commissioner Denizac's appointments).

As of May 21, 2014 Kay Gardner has resigned from her position on the City's Parks and Recreation Advisory Board.

As of June 10, 2014 James Ruth has resigned from his position on the City's Parks and Recreation Advisory Board.

The City has run press releases and posted openings on D-TV, the City web site and bulletin boards. The following individual has submitted an application to be appointed to the Parks and Recreation Advisory Committee member: Eric James, Maribel Montanez, Jimmie Stone and Wallace Thurston.

After discussion, the Commission voted unanimously to confirm the appointment of the following individuals Maribel Montanez and Jimmie Stone to the Parks and Recreation Advisory Committee for a term to expire on December 31, 2014.

C. Selection of Interim City Manager.

At the Commission Workshop held on Monday, July 14, 2014 the City Commission ranked all twelve applicants for Interim City Manager and narrowed them down to the following four (4) applicants: Dale Baker, Lyndon Bonner, Gary Shimun and Howard Tipton. The City Commission will conduct one on one interviews and an interview with the whole Commission as a body on Monday, July 21, 2014 between 10:00 a.m. and 2:00 p.m. The City Commission at their regular City Commission Meeting Monday, July 21, 2014 at 6:30 p.m. will rank and select an Interim City Manager.

After discussion, the Commission voted unanimously to appoint Dale Baker as the Interim City Manager.

- D. ADD-ON: Resolution No. 2014-23, adopting a temporary moratorium on the enforcement of city code provisions as to food sales on residentially zoned church property.**

After discussion, the Commission voted unanimously to approve Resolution No. 2014-23, as amended.

11. CITY ATTORNEY COMMENTS:

12. CITY MANAGER COMMENTS:

- A. Lobbyist Update.**

13. CITY COMMISSION COMMENTS:

14. ADJOURNMENT:

NOTE: If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.